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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,262	08/27/2003	Yoshiakira Yokoyama	56937-085	5228

7590   10/30/2007

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EXAMINER
DEBROW, JAMES J

ART UNIT	PAPER NUMBER
2176	

MAIL DATE	DELIVERY MODE
10/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 March 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>1/19/2007</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

1.   This action is responsive to communications: Amendment filed 13 Mar 2007.

2.   Claim 1 is pending in the case.

Applicant's Response

3.   Applicant amended Claims 1; argued rejections of previous office action.

Claim Rejections - 35 USC § 112

4.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5.   **Claim 1 recites** the limitation *"the target document"* in line 16. There is

insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over**

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unpatentable by Sampath et al. (US 2002/0169803 A1; Filed Dec. 5, 2001)

(hereinafter "Sampath") in view of DuFresne (Patent No.: 5,835,712; Filed May 3,

1996).

In regards to independent claim 1, Sampath discloses a *document creation*

support system comprising:

a database unit constructed by a template database part including document

information of a template document in which a character train variable is embedded,

and a variable-content database part including a group of database components with

tags (0036; 0040; 0046; 112, 114, & 115 in Fig 1b; Sampath discloses the Document

Generator consists of three modules, a structure template transformer module, which

takes document specifications as input and restructures, translates and instantiates the

specifications into a structured document template *(template database part)*; a

document content filling operator module, which takes the document template as input

and queries the database to fill the placeholders *(character train variables)*, and attribute

placeholders inside the template; a document maker module, which takes the generated

document and publish it in a browseable book or file.).

an input interface unit for inputting parameter information instructing a description

change part in a target document with respect to the template document (0023 - 0025;

401 in Fig 4; 404 in Fig 4; Sampath discloses a system for generating structured

documents via a graphical user interface. Through the graphical interface, the user can

input parameters to select the desired presentation, specifications, and format of the

document from information derived from a database.);

a variable converting unit for defining the character train variable on the basis of

the input parameter information (0023-0025; 0041-0045);

an entity referring unit for searching the template database part and the variable-content database part on the basis of the character train variable (0040; 0046-49; Sampath discloses a method of a search sequence parsing the structure of the document identifying variable-value pairs. The Examiner concludes that Sampath teaching can be used by one of ordinary skill in the art for searching the template database part and the variable-content database part on the basis of the character train variable or the data variable with a tag.).

a synthesizing unit for instantiating the character train variable in the template document retrieved by the search with the definition of the character train variable, instantiating the data variable with a tag in the template document with the tagged database component retrieved by the search, and synthesizing the resultants, thereby creating the target document (0036; 0040; 0046; 112, 114, & 115 in Fig 1b; Sampath discloses the Document Generator consists of three modules, a structure template transformer module, which takes document specifications as input and restructures, translates and instantiates the specifications into a structured document template (template database part); a document content filling operator module (synthesizing unit), which takes the document template as input and queries the database to fill the placeholders (character train variables or data variable with a tag), and attribute placeholders inside the template; a document maker module, which takes the generated document (target document) and publish it in a browseable book or file. Sampath also disclose the documents that are generated from the stored templates can be of several types, ie. SGML, XML, or HTML documents. It has been established that these type

documents consists of character train variables, and data variable with embedded tags. Therefore, it can be concluded that the Sampath database unit and the current invention database unit are constructed similarly.).

wherein the database component with a tag in the variable-content database part has a nested structure in which a character train variable is embedded (0036; 0045; Sampath discloses content placeholders and attribute placeholders, thus character train variables and data variable with a tag. At the time of the invention, it had been established and was well known in the art that tags within a document structure typically contained embedded character train variable.).

Sampath does not expressly disclose a template document in which a character train variable and a data variable with a tag are embedded.

However DuFresne teaches a template document in which a character train variable and a data variable with a tag are embedded (col. 3, lines 4-28; col. 4, lines 1-16; DuFresne teaches templates tag extensions can be directed to a field name which corresponds to a value representing another tag extension, URL's or scripts.).

Therefore at the time of the invention it would have been obvious to one of ordinary skill in the art to combine Sampath with DuFresne for the benefit of providing a dynamic client/server environment without complexities associated CGI programming and significantly removing laborious task of updating Web pages on the WWW (col. 2, lines 62-66).

8.   It is noted that any citations to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the reference should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. See, MPEP 2123.

Response to Arguments

9.   Applicant's argument with respect to claim 1 has been considered but is moot in view of the new ground(s) of rejection. A new ground(s) of rejection is made in view of Sampath and DuFresne.

Conclusion

10.   Applicant's amendment necessitated the new ground(s) of rejection presented in
this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP
§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
MONTHS from the mailing date of this action. In the event a first reply is filed within
TWO MONTHS of the mailing date of this final action and the advisory action is not
mailed until after the end of the THREE-MONTH shortened statutory period, then the
shortened statutory period will expire on the date the advisory action is mailed, and any
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of
the advisory action. In no event, however, will the statutory period for reply expire later
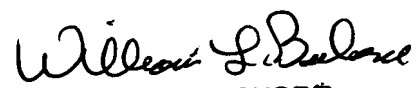than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to James J. Debrow whose telephone number is 571-272-
5768. The examiner can normally be reached on 8:00-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for
the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JAMES DEBROW
EXAMINER
ART UNIT 2176

WILLIAM BASHORE
PRIMARY EXAMINER